

Individual Rules of Hon. Sandra J. Feuerstein, U.S.D.J.
United States District Court
Eastern District of New York
Brooklyn Chambers- Phone: 718-797-7370 Fax: 718-797-7377
Central Islip Chambers- Phone: 631-712-5630 Fax: 631-712-5636

*Note: Judge Feuerstein generally presides in Brooklyn Mondays and Tuesdays each week and in Central Islip Wednesdays-Fridays each week.

1. General:

- A. All papers must indicate the docket number followed by the initials of the Judge (SJF) and initials of the Magistrate Judge assigned.
- B. The court will not schedule pre-motion conferences.
- C. A self-addressed, stamped envelope should accompany the courtesy copy for all motion papers if you wish a copy of the decision.
- D. No motions will be argued orally unless the Court so orders.
- E. Requests for adjournments must be made in writing and faxed to chambers at least two (2) days prior to the scheduled proceeding.

2. Calls:

- A. All calls concerning calendar matters or docketing should be made to Brian Ketcham, Case Manager, at 718-797-7375 (Brooklyn) 631-712-5635 (Central Islip). Please have the docket number available whenever contacting Chambers. Do not call regarding the status of any case or submission without first referring to the docket sheet. (Docket sheets are available in the Clerk's Office and the Court's online ECF system, www.nyed.uscourts.gov).
- B. For questions concerning procedure please refer to the Federal Rules of Civil or Criminal Procedure, and the Local Rules of the Eastern District.

3. Electronic Case Filing:

- A. All documents in civil actions MUST be filed electronically. Questions regarding ECF filing or training should be directed to Terry Vaughn (718) 613-2330.
- B. Hard copies of all papers filed electronically, including motions, letters and stipulations, must be provided to Chambers, clearly marked "Courtesy Copy", indicating that the original was filed by ECF.
- C. Parties filing voluminous or non-text exhibits shall only file hard copies.
- D. Requests to be exempt from ECF requirements must be made in writing.

4. Motion Practice:

- A. The following procedures apply to all dispositive motions except habeas corpus/prisoner petitions, H.H.S. cases and motions for default (which should be submitted to the judgment clerk for the Clerk's certification prior to filing with chambers).
- B. The moving party will prepare its notice of motion, brief, affidavits and other supporting documentation. The notice of motion **shall not contain a return date**. These papers will be sent to all parties. A copy of the cover letter ONLY shall be filed in the Clerk's office and will be sufficient to evidence the extension of the time for filing a responsive pleading (e.g., an answer) pursuant to F.R.Civ.P. 12(a) and (b).

C. If opposition papers cannot be prepared within the normal 10-day period, the parties may agree to a briefing schedule (informing the court in writing). An original shall be filed with the Clerk's Office and copies of all opposition papers are then to be served on all other parties. A copy of ONLY the cover letter to be filed with the Clerk's Office. A copy of the reply is to be served on all parties, with a copy of the cover letter filed with the Clerk's Office. If the parties cannot agree, they should telephone Mr. Ketcham to obtain the time within which the opposition papers must be prepared.

D. After the motion has been fully briefed and is ready for submission to the Court, the motion, opposition and reply papers shall be submitted to the Court by the moving party. Each paper shall be clearly denominated. Briefs are to comply with the local rules and are limited to twenty-five (25) pages. No rebuttal, sur-reply, etc. shall be accepted. Originals shall be filed electronically and one hard courtesy copy shall be delivered to chambers. The cover letter shall list each document (brief, affidavit, etc.) submitted. Any questions concerning these procedures should be directed to Mr. Ketcham.

Note: All non-dispositive applications (discovery, pro hac vice admissions, amendments to the pleadings, etc.) are to be considered referred to the Magistrate Judge assigned to the case. Please contact the appropriate Magistrate chambers for the individual rules and procedures.

5. Proceedings before the Court, Initial Conferences and Magistrate Judge Discovery Conferences:

A. Counsel shall appear promptly for all conferences with the Court, prepared and authorized to discuss progress in the case, scheduling of further proceedings and settlement.

B. Judge Feuerstein conducts initial conferences. The purpose of the initial conference is to explore the possibility of a settlement and obviate the need for expensive, time-consuming and burdensome discovery practice before the assigned Magistrate Judge. Therefore it is paramount that counsel appearing at the initial conference before Judge Feuerstein be familiar with the pleadings, the procedural posture of the case and possess authority to discuss settlement.

C. Subject to limited exceptions for specific types of cases (e.g. Habeas Corpus petitions), a Magistrate Judge shall be assigned to all cases to which Judge Feuerstein is assigned. All discovery scheduling and disputes concerning discovery matters are automatically referred to the assigned Magistrate Judge unless otherwise ordered.

6. Pretrial Procedures:

A. Unless otherwise ordered by the Court, within 60 days from the date for the completion of

discovery in a civil case, the parties shall submit to the court a joint pretrial order, which shall conform to Judge Feuerstein's proposed pretrial order found on the Court's website.

B. Unless otherwise ordered by the Court, each party shall file, 15 days before the date of commencement of trial or 30 days after the filing of the final pretrial order if no trial date has been set:

i. In jury cases, requests to charge and proposed voir dire questions. Requests to charge should be limited to the elements of the claims, the damages and defenses. General instructions will be prepared by the Court. When feasible, proposed jury charges should be submitted on a 3.5" diskette in IBM WordPerfect format as well as a hard copy;

ii. A detailed statement regarding damages and other relief sought as to each claim;

iii. In non-jury cases, a statement of the elements of each claim or defense together with a

summary of the facts relied upon to establish each element;
iv. In all cases, motions addressing any evidentiary or other issues which should be resolved in limine; and
v. In any case where such party believes it would be useful, a pretrial memorandum.

Amended 3/10/2006.